

Notice of Allowability

Application No.

10/049,145

Examiner

Joseph W. Drodge

Applicant(s)

WILDE, PETER FREDERICK

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 08/09/2004.
2. ☒ The allowed claim(s) is/are 1-14, 22-31 and 39, now renumbered claims 1-25.
3. ☒ The drawings filed on 02 May 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 0904.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

wherein each vessel comprises an inlet and an outlet, the outlet of the first vessel is connected by first connecting means to the inlet of the second vessel, the outlet of the second vessel is connected by second connecting means to the inlet of the first vessel,

Art Unit: 1723

the first and second connecting means include closable valves, and each closable valve is a one-way valve permitting fluid flow in one direction only, the valves being arranged to provide a fluid flow circuit such that the solvent may flow around the circuit in one direction only; and

wherein one closable one-way valve is provided at each respective inlet and each respective outlet of the first and second vessels. --

The following is an examiner's statement of reasons for allowance: Method claims 1-14 and 22-31 are distinguished for respective recitations of utilizing "iodotrifluoromethane as a solvent, the prior art teaching only uses and functions of the material distant from use as a solvent extractant.

New apparatus claim 39 is derived from a combination of old canceled claims 15,16 and 17 and distinguishes over all of the prior art, including newly cited patent 2,109,157 to Tijmstra, in view of recitation of "first vessel" containing "means for retaining the substrate in the first vessel" in combination with closable one-way valves at the respective inlets and outlets of each of two vessels connected to each other to provide a fluid-flow circuit.

The "means for retaining the substrate" limitation in claim 39 and old claim 8 is considered a 112, paragraph 6 means plus function limitation considered to identify internal filters at both of opposite ends of the first vessel, or equivalents, as defined at page 15, line 29 and page 17, lines 9-10 of the instant Specification.

Newly cited Tijmstra teaches a plurality of interconnected vessels forming a circuit for solvent extraction, however definitely lacks the one-way valves as recited.

With regard to the "connecting means" recited in claim 39, these are considered limitations pertaining to any structure fluidly connecting the first and second vessels.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1723

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Drodge at telephone number 571-272-1140. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at 571-272-1151. The fax phone number for the examining group where this application is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR, and through Private PAIR only for unpublished applications. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD
September 17, 2004


JOSEPH DRODGE
PRIMARY EXAMINER